

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
FIFTY-EIGHTH LEGISLATURE

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**EIGHTY-SEVENTH LEGISLATIVE DAY**  
**WEDNESDAY, APRIL 5, 2006**

Senate Chamber

President Pro Tempore Geddes called the Senate to order at 9 a.m.

Roll call showed all members present except Senator Lodge, absent and formally excused by the Chair; and Senators Cameron, Langhorst, and Little, absent and excused.

Prayer was offered by Chaplain Don Hardenbrook.

The Pledge of Allegiance was led by Lana Infanger, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

Senator Langhorst was recorded present at this order of business.

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of April 4, 2006, was read and approved as corrected.

DARRINGTON, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

### Reports of Standing Committees

Senator Little was recorded present at this order of business.

April 4, 2006

The JUDICIARY AND RULES Committee reports that Enrolled S 1370, S 1427, S 1464, S 1465, S 1466, S 1467, S 1469, S 1470, S 1471, S 1473, S 1474, S 1475, S 1476, S 1477, S 1478, S 1479, S 1480, and S 1481 were delivered to the Office of the Governor at 1:30 p.m., April 4, 2006.

DARRINGTON, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

April 4, 2006

The JUDICIARY AND RULES Committee reports that Enrolled S 1472 was delivered to the Office of the Governor at 3:30 p.m., April 4, 2006.

DARRINGTON, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

On request by Senator Stegner, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

### Messages from the House

April 4, 2006

Mr. President:

I transmit herewith Enrolled H 723, as amended in the Senate, H 655, as amended in the Senate, H 714, as amended, as amended in the Senate, and H 770, as amended in the Senate, as amended in the Senate, for the signature of the President.

JUKER, Chief Clerk

The President Pro Tempore signed Enrolled H 723, as amended in the Senate, H 655, as amended in the Senate, H 714, as amended, as amended in the Senate, and H 770, as amended in the Senate, as amended in the Senate, and ordered them returned to the House.

April 4, 2006

Mr. President:

I return herewith Enrolled S 1425, as amended in the House, S 1484, S 1487, and S 1490 which have been signed by the Speaker.

JUKER, Chief Clerk

Enrolled S 1425, as amended in the House, S 1484, S 1487, and S 1490 were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

The Senate advanced to the Tenth Order of Business.

### Motions and Resolutions

Senator Cameron was recorded present at this order of business.

On request by Senator Stegner, granted by unanimous consent, SR 108 and SR 109 retained their place on the calendar.

The President Pro Tempore announced that HCR 66 was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Burkett, seconded by Senator Gannon, **HCR 66** was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

On request by Senator Stegner, granted by unanimous consent, the Senate advanced to the Twelfth Order of Business.

### Second Reading of Bills

#### Suspension of Rules

On request by Senator Stegner, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **S 1494** were suspended, and the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days were dispensed with, this being a case of urgency, and **S 1494** was read the second time by title and the third time at length, section by section, and put upon its final passage.

**S 1494** was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senators Werk and Langhorst arose as co-sponsors of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Broadsword, Bunderson, Burkett, Cameron, Coiner, Compton, Corder, Darrington, Gannon, Geddes, Goedde, Kelly, Keough, Langhorst, Little, Malepeai, Marley, McGee, Schroeder, Stennett, Werk. Total - 21.

NAYS--Andreason, Brandt, Burtenshaw, Fulcher, Hill, Jorgenson, McKenzie, Pearce, Richardson, Stegner, Sweet, Williams. Total - 12.

Absent and excused--Davis, Lodge. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared **S 1494** passed, title was approved, and the bill ordered transmitted to the House.

#### Suspension of Rules

On request by Senator Stegner, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **S 1495** were suspended, and the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days were dispensed with, this being a case of urgency, and **S 1495** was read the second time by title and the third time at length, section by section, and put upon its final passage.

**S 1495** was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Broadsword, Bunderson, Burkett, Burtenshaw, Cameron, Coiner, Compton, Corder, Darrington, Davis, Gannon, Geddes, Goedde, Jorgenson, Kelly, Keough, Langhorst, Little, Malepeai, Marley, McGee, McKenzie, Richardson, Schroeder, Stegner, Werk. Total - 26.

NAYS--Andreason, Brandt, Fulcher, Hill, Pearce, Sweet, Williams. Total - 7.

Absent and excused--Lodge, Stennett. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared **S 1495** passed, title was approved, and the bill ordered transmitted to the House.

#### Suspension of Rules

On request by Senator Stegner, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **S 1496** were suspended, and the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days were dispensed with, this being a case of urgency, and **S 1496** was read the second time by title and the third time at length, section by section, and put upon its final passage.

**S 1496** was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Hill arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Broadsword, Bunderson, Burkett, Burtenshaw, Cameron, Coiner, Compton, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hill, Jorgenson, Kelly, Keough, Langhorst, Malepeai, Marley, McGee, McKenzie, Pearce, Richardson, Schroeder, Stegner, Sweet, Williams. Total - 31.

NAYS--None.

Absent and excused--Little, Lodge, Stennett, Werk. Total - 4.

Total - 35.

Whereupon the President Pro Tempore declared **S 1496** passed, title was approved, and the bill ordered transmitted to the House.

#### Suspension of Rules

On request by Senator Stegner, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **S 1497** were suspended, and the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days were dispensed with, this being a case of urgency, and **S 1497** was read the second time by title and the third time at length, section by section, and put upon its final passage.

The President Pro Tempore called Senator Brandt to the Chair.

**S 1497** was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Richardson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Broadsword, Bunderson, Burkett, Burtenshaw, Coiner, Compton, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Malepeai, Marley, McGee, McKenzie, Richardson, Schroeder, Stegner, Werk, Williams. Total - 30.

NAYS--Pearce, Sweet. Total - 2.

Absent and excused--Cameron, Lodge, Stennett. Total - 3.

Total - 35.

Whereupon the Acting President declared **S 1497** passed, title was approved, and the bill ordered transmitted to the House.

#### **Suspension of Rules**

On request by Senator Stegner, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **S 1498** were suspended, and the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days were dispensed with, this being a case of urgency, and **S 1498** was read the second time by title and the third time at length, section by section, and put upon its final passage.

**S 1498** was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator McGee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Broadsword, Bunderson, Burkett, Burtenshaw, Cameron, Coiner, Compton, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Malepeai, Marley, McGee, McKenzie, Richardson, Schroeder, Stegner, Stennett, Werk, Williams. Total - 32.

NAYS--Pearce, Sweet. Total - 2.

Absent and excused--Lodge. Total - 1.

Total - 35.

Whereupon the Acting President declared **S 1498** passed, title was approved, and the bill ordered transmitted to the House.

#### **Suspension of Rules**

On request by Senator Stegner, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **S 1499** were suspended, and the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days were dispensed with, this being a case of urgency, and **S 1499** was read the second time by title and the third time at length, section by section, and put upon its final passage.

**S 1499** was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator McGee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Broadsword, Bunderson, Burkett, Burtenshaw, Cameron, Coiner, Compton, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hill, Jorgenson, Keough, Malepeai, Marley, McGee, Richardson, Schroeder, Stennett, Williams. Total - 25.

NAYS--Corder, Kelly, Langhorst, Little, McKenzie, Pearce, Stegner, Sweet, Werk. Total - 9.

Absent and excused--Lodge. Total - 1.

Total - 35.

Whereupon the Acting President declared **S 1499** passed, title was approved, and the bill ordered transmitted to the House.

#### **Suspension of Rules**

On request by Senator Stegner, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **S 1500** were suspended, and the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days were dispensed with, this being a case of urgency, and **S 1500** was read the second time by title and the third time at length, section by section, and put upon its final passage.

**S 1500** was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Richardson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Broadsword, Bunderson, Burkett, Burtenshaw, Cameron, Coiner, Compton, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hill, Jorgenson, Kelly, Keough, Langhorst, Malepeai, Marley, McGee, Richardson, Schroeder, Stennett, Werk, Williams. Total - 28.

NAYS--Brandt, Little, McKenzie, Pearce, Stegner, Sweet. Total - 6.

Absent and excused--Lodge. Total - 1.

Total - 35.

Whereupon the Acting President declared **S 1500** passed, title was approved, and the bill ordered transmitted to the House.

#### **Suspension of Rules**

On request by Senator Davis, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **H 865** were suspended, and the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days were dispensed with, this being a case of urgency, and **H 865** was read the second time by title and the third time at length, section by section, and put upon its final passage.

**H 865** was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. President Pro Tempore Geddes arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Broadsword, Bunderson, Burtenshaw, Cameron, Coiner, Compton, Corder, Darrington, Davis, Gannon, Geddes, Goedde, Hill, Jorgenson, Keough, Little, McGee, McKenzie, Pearce, Richardson, Stegner, Williams. Total - 23.

NAYS--Brandt, Burkett, Fulcher, Kelly, Langhorst, Malepeai, Schroeder, Stennett, Sweet, Werk. Total - 10.

Absent and excused--Lodge, Marley. Total - 2.

Total - 35.

Whereupon the Acting President declared **H 865** passed, title was approved, and the bill ordered returned to the House.

#### **Suspension of Rules**

The President Pro Tempore returned to the Chair.

On request by Senator Stegner, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **H 861** were suspended, and the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days were dispensed with, this being a case of urgency, and **H 861** was read the second time by title and the third time at length, section by section, and put upon its final passage.

**H 861** was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Hill arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Broadsword, Bunderson, Burtenshaw, Cameron, Coiner, Compton, Corder, Darrington, Davis, Gannon, Geddes, Goedde, Hill, Jorgenson, Keough, Little, McGee, McKenzie, Pearce, Richardson, Stegner, Williams. Total - 23.

NAYS--Brandt, Burkett, Fulcher, Kelly, Langhorst, Malepeai, Schroeder, Stennett, Sweet, Werk. Total - 10.

Absent and excused--Lodge, Marley. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared **H 861** passed, title was approved, and the bill ordered returned to the House.

#### **Suspension of Rules**

On request by Senator Davis, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **H 866** were suspended, and the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days were dispensed with, this being a case of urgency, and **H 866** was read the second time by title and the third time at length, section by section, and put upon its final passage.

**H 866** was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Marley arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Broadsword, Bunderson, Burkett, Burtenshaw, Cameron, Coiner, Compton, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Malepeai, Marley, McGee, McKenzie, Pearce, Richardson, Schroeder, Stegner, Stennett, Sweet, Werk, Williams. Total - 34.

NAYS--None.

Absent and excused--Lodge. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared **H 866** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Ninth Order of Business.

#### **Messages from the House**

April 5, 2006

Mr. President:

I transmit herewith Enrolled **H 860**, **H 862**, **H 857**, **H 853**, and **H 864** for the signature of the President.

JUKER, Chief Clerk

The President Pro Tempore signed Enrolled **H 860**, **H 862**, **H 857**, **H 853**, and **H 864** and ordered them returned to the House.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading and Reference of Bills,  
House Petitions, Resolutions, and Memorials**

**S 1501**

**BY STATE AFFAIRS COMMITTEE**

**AN ACT**

RELATING TO PROPERTY TAX FUNDING MAINTENANCE AND OPERATIONS OF PUBLIC SCHOOLS AND REPLACEMENT FUNDS; STATING LEGISLATIVE FINDINGS, SUBMITTING AN ADVISORY VOTE TO THE ELECTORS, DIRECTING THE SECRETARY OF STATE AND ATTORNEY GENERAL TO PERFORM SPECIFIED DUTIES, STATING THE QUESTION TO BE SUBMITTED, DECLARING THE ADVISORY QUESTION A MEASURE, AND MAKING APPLICABLE CERTAIN PROVISIONS GOVERNING ELECTION CAMPAIGN CONTRIBUTIONS AND EXPENDITURES.

**S 1501** was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

**Reports of Standing Committees**

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate recessed at 12:20 p.m. until the hour of 1:45 p.m. of this day.

**RECESS**

**AFTERNOON SESSION**

The Senate reconvened at 1:45 p.m., pursuant to recess, President Pro Tempore Geddes presiding.

Roll call showed all members present except Senators Burkett, Cameron, Goedde, Kelly, and Langhorst, absent and excused.

Prior to recess the Senate was at the Sixth Order of Business, Reports of Standing Committees.

April 5, 2006

The JUDICIARY AND RULES Committee reports that **S 1501** has been correctly printed.

DARRINGTON, Chairman

**S 1501** was referred to the Local Government and Taxation Committee.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Twelfth Order of Business.

**Second Reading of Bills**

Senators Burkett, Cameron, Goedde, Kelly, and Langhorst were recorded present at this order of business.

**Suspension of Rules**

On request by Senator Stegner, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **H 868** were suspended, and the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days were dispensed with, this being a case of urgency, and **H 868** was read the second time by title and the third time at length, section by section, and put upon its final passage.

**H 868** was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator McGee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Brandt, Broadsword, Bunderson, Burkett, Cameron, Coiner, Darrington, Gannon, Goedde, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Richardson, Schroeder, Stennett, Werk. Total - 22.

NAYS--Andreason, Burtenshaw, Compton, Corder, Davis, Fulcher, Geddes, Hill, Jorgenson, Pearce, Stegner, Sweet, Williams. Total - 13.

Total - 35.

Whereupon the President Pro Tempore declared **H 868** passed, title was approved, and the bill ordered returned to the House.

**Suspension of Rules**

On request by Senator Stegner, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **S 1441**, as amended, as amended in the House, were suspended, and the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days were dispensed with, this being a case of urgency, and **S 1441**, as amended, as amended in the House, was read the second time by title and the third time at length, section by section, and put upon its final passage.

**S 1441**, as amended, as amended in the House, was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Richardson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Broadsword, Bunderson, Burkett, Burtenshaw, Coiner, Compton, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Pearce, Richardson, Schroeder, Stegner, Stennett, Sweet, Werk, Williams. Total - 34.

NAYS--None.

Absent and excused--Cameron. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared **S 1441**, as amended, as amended in the House, passed, title was approved, and the bill was referred to the Judiciary and Rules Committee for enrolling.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Ninth Order of Business.

#### Messages from the House

April 5, 2006

Mr. President:

I transmit herewith **H 876** which has passed the House.

JUKER, Chief Clerk

**H 876** was filed for first reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

#### Introduction, First Reading and Reference of Bills, House Petitions, Resolutions, and Memorials

**H 876**, by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

#### Reports of Standing Committees

April 5, 2006

The JUDICIARY AND RULES Committee reports that **S 1441**, as amended, as amended in the House, has been correctly enrolled.

DARRINGTON, Chairman

The President Pro Tempore signed Enrolled **S 1441**, as amended, as amended in the House, and ordered it transmitted to the House for the signature of the Speaker.

April 5, 2005

The JUDICIARY AND RULES Committee reports that Enrolled **S 1425**, as amended in the House, **S 1484**, **S 1487**, and **S 1490** were delivered to the Office of the Governor at 2:50 p.m., April 5, 2006.

DARRINGTON, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

April 5, 2006

The LOCAL GOVERNMENT AND TAXATION Committee reports out **H 876** without recommendation.

BUNDERSON, Chairman

**H 876** was filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

#### Third Reading of Bills

On request by Senator Davis, granted by unanimous consent, **S 1492** was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fourteenth Order of Business.

#### General Calendar

The President Pro Tempore declared the Senate resolved into the Committee of the Whole and called Senator Stegner to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President Pro Tempore called the Senate to order.

#### Report of the Committee of the Whole

Senator Stegner, Chairman of the Committee of the Whole, reported out **S 1492**, without recommendation, amended as follows:

#### SENATE AMENDMENT TO S 1492

##### AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 6, delete "repeal" and insert: "amend".

##### AMENDMENT TO THE BILL

On page 1, delete lines 11 and 12 and insert:  
"SECTION 2. That Section 67-2346, Idaho Code, be, and the same is hereby amended to read as follows:

67-2346. OPEN LEGISLATIVE MEETINGS REQUIRED.  
All meetings of any standing, special or select committee of either house of the legislature of the state of Idaho shall be open to the public at all times, except in extraordinary circumstances as

provided specifically in the rules of procedure in either house, and any person may attend any meeting of a standing, special or select committee, but may participate in the committee only with the approval of the committee itself."

#### CORRECTION TO TITLE

On page 1, in line 2, delete "REPEALING" and insert: "AMENDING"; and delete line 3 and insert: "67-2346, IDAHO CODE, TO PROVIDE THAT ALL MEETINGS OF ANY STANDING, SPECIAL OR SELECT COMMITTEE OF EITHER HOUSE OF THE LEGISLATURE SHALL BE OPEN TO THE PUBLIC AT ALL TIMES, EXCEPT IN EXTRAORDINARY CIRCUMSTANCES AS PROVIDED SPECIFICALLY IN THE RULES OF PROCEDURE IN EITHER HOUSE."

The Committee also has **S 1387** and **S 1241** under consideration, reports progress, and begs leave to sit again.

STEGNER, Chairman

On motion by Senator Stegner, seconded by Senator Malepeai, the report was adopted by voice vote.

**S 1492**, as amended, was referred to the Judiciary and Rules Committee for engrossing and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

#### Reports of Standing Committees

April 5, 2006

The JUDICIARY AND RULES Committee reports that **S 1492**, as amended, has been correctly engrossed.

DARRINGTON, Chairman

**S 1492**, as amended, was filed for first reading.

April 5, 2006

The JUDICIARY AND RULES Committee reports that Senate amendments to **S 1492** have been correctly printed.

DARRINGTON, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

April 5, 2006

The LOCAL GOVERNMENT AND TAXATION Committee reports out **S 1501** without recommendation.

BUNDERSON, Chairman

**S 1501** was filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

#### Messages from the House

April 5, 2006

Mr. President:

I transmit herewith **H 869, H 870, H 871, H 872, H 873, H 874, and H 875** which have passed the House.

JUKER, Chief Clerk

**H 869, H 870, H 871, H 872, H 873, H 874, and H 875** were filed for first reading.

April 5, 2006

Mr. President:

I return herewith **SCR 136, S 1491, and S 1493** which have passed the House.

JUKER, Chief Clerk

**SCR 136, S 1491, and S 1493** were referred to the Judiciary and Rules Committee for enrolling.

April 5, 2006

Mr. President:

I transmit herewith Enrolled **HCR 66, H 865, H 861, and H 866** for the signature of the President.

JUKER, Chief Clerk

The President Pro Tempore signed Enrolled **HCR 66, H 865, H 861, and H 866** and ordered them returned to the House.

The Senate advanced to the Tenth Order of Business.

#### Motions and Resolutions

The President Pro Tempore announced that **SR 108**, having been held, was before the Senate for final consideration.

Moved by Senator Davis, seconded by Senator Stegner, that **SR 108** be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES--Andreason, Broadsword, Bunderson, Burtenshaw, Cameron, Coiner, Compton, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hill, Jorgenson, Keough, Little, Lodge, McGee, McKenzie, Pearce, Richardson, Stegner, Sweet, Williams. Total - 26.

NAYS--Burkett, Kelly, Langhorst, Malepeai, Marley, Schroeder, Stennett, Werk. Total - 8.

Absent and excused--Brandt. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared **SR 108** adopted, title was approved, and the resolution was ordered filed in the office of the Secretary of the Senate.

The President Pro Tempore announced that **SR 109**, having been held, was before the Senate for final consideration.

Moved by Senator Davis, seconded by Senator Little, that **SR 109** be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES--Andreason, Broadsword, Bunderson, Burtenshaw, Cameron, Coiner, Compton, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hill, Jorgenson, Keough, Little, Lodge, McGee, McKenzie, Pearce, Richardson, Stegner, Sweet, Williams. Total - 26.

NAYS--Burkett, Kelly, Langhorst, Malepeai, Marley, Schroeder, Stennett, Werk. Total - 8.

Absent and excused--Brandt. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared **SR 109** adopted, title was approved, and the resolution was ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Eleventh Order of Business.

#### **Introduction, First Reading and Reference of Bills, House Petitions, Resolutions, and Memorials**

**S 1492**, as amended, by Judiciary and Rules Committee, was read the first time at length and filed for second reading.

**H 869, H 870, H 871, H 872, H 873, H 874, and H 875**, by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

The Senate advanced to the Twelfth Order of Business.

#### **Second Reading of Bills**

##### **Suspension of Rules**

On request by Senator Stegner, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **S 1492**, as amended, were suspended, and the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days were dispensed with, this being a case of urgency, and **S 1492**, as amended, was read the second time by title and the third time at length, section by section, and put upon its final passage.

**S 1492**, as amended, was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Broadsword, Bunderson, Burtenshaw, Cameron, Coiner, Compton, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hill, Jorgenson, Keough, Little, Lodge, McGee, McKenzie, Pearce, Richardson, Stegner, Sweet, Williams. Total - 26.

NAYS--Burkett, Kelly, Langhorst, Malepeai, Marley, Schroeder, Stennett, Werk. Total - 8.

Absent and excused--Brandt. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared **S 1492**, as amended, passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

#### **Miscellaneous Business**

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate adjourned at 6:50 p.m. until the hour of 9:30 a.m., Thursday, April 6, 2006.

ROBERT L. GEDDES, President Pro Tempore

Attest: JEANNINE WOOD, Secretary